

SPECIAL ACT ON CADASTRAL RESURVEY

Act No. 11062, Sep. 16, 2011

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to manage national land efficiently and to contribute to the protection of property rights of people by correcting descriptions registered in official cadastral records, but inconsistent with the actual conditions of land and by converting such cadastral records embodied in paper into digital cadastral records.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows:

1. The term "official cadastral records" means the official cadastral records referred to in subparagraph 19 of Article 2 of the Act on Land Survey, Waterway Survey and Cadastral Records;
2. The term "cadastral resurvey project" means a national project executed to replace existing official cadastral records with new official cadastral records in digital format and to correct descriptions registered in official cadastral records, if records do not accord with the actual conditions of land, by conducting investigations and surveys on descriptions registered in official cadastral records under Articles 71 through 73 of the Act on Land Survey, Waterway Survey and Cadastral Records;
3. The term "project district" means a district designated and publicly notified pursuant to Articles 7 and 8 in order to execute the cadastral resurvey project;
4. The term "lot survey" means a survey conducted on the owner, lot number, land category, area, and boundaries or coordinates of each lot, the location of above ground and underground buildings in each lot, and the officially assessed individual land price of each lot in order to execute the cadastral resurvey project;
5. The term "cadastral authority" means a cadastral authority under subparagraph 18 of Article 2 of the Act on Land Survey, Waterway Survey and Cadastral Records.

Article 3 (Relationship to other Acts)

- (1) This Act shall take precedence over other Acts in relation to the cadastral resurvey project.
- (2) Except as otherwise provided for by this Act, the execution of the cadastral resurvey project shall be governed by the Act on Land Survey, Waterway Survey and Cadastral Records.

CHAPTER II EXECUTION OF CADASTRAL RESURVEY PROJECT

SECTION 1 Establishment of Master Plan, etc.

Article 4 (Establishment of Master Plan)

(1) In order to execute the cadastral resurvey project efficiently, the Minister of Land, Transport and Maritime Affairs shall establish a master plan for the cadastral resurvey project (hereinafter referred to as "Master Plan"), which shall include the following matters:

1. Basic direction-setting for the cadastral resurvey project;
2. The execution period and scale of the cadastral resurvey project;
3. An annual execution plan for the cost of the cadastral resurvey project;
4. A plan for the apportionment of the cost of the cadastral resurvey project to the Special Metropolitan City, each Metropolitan City, each Do, each Special Self-Governing Province, each Special Self-Governing City, and each large city with a population of not less than 500,000 persons under Article 175 of the Local Autonomy Act (hereinafter referred to as "City/Do");
5. A plan for securing human resources necessary for the cadastral resurvey project;
6. Other matters specified by Presidential Decree as necessary for the efficient execution of the cadastral resurvey project.

(2) When the Minister of Land, Transport and Maritime Affairs intends to establish the Master Plan, he/she shall hold a prior public hearing to hear opinions from appropriate experts and others, prepare a draft master plan, forward the draft to the Special Metropolitan City Mayor, each Metropolitan City Mayor, each Do Governor, each Special Self-Governing Province Governor, each Special Self-Governing City Mayor, and the Mayor of each large city with a population of not less than 500,000 persons under Article 175 of the Local Autonomy Act (hereinafter referred to as "Mayor/Do Governor") to hear their opinions, and shall present the draft at the Central Cadastral Resurvey Committee under Article 28 for deliberation thereon.

(3) Upon receiving a draft master plan under paragraph (2), a Mayor/Do Governor shall forward it to the competent cadastral authority without delay to hear its opinion thereon.

(4) A cadastral authority shall present its opinion to the competent Mayor/Do Governor within 20 days from the date on which the draft master plan is forwarded under paragraph (3), and the Mayor/Do Governor shall present the competent cadastral authority's opinion along with his/her own opinion to the Minister of Land, Transport and Maritime Affairs within 30 days from the date on which the draft master plan is forwarded under paragraph (2). In such cases, when a cadastral authority or a Mayor/Do Governor fails to present his/her opinion within the period, he/she shall be deemed to have no opinion with regard thereto.

(5) Paragraphs (2) through (4) shall also apply to cases where it is intended to revise the Master Plan: Provided, That the foregoing shall not apply to the modification of a minor matter specified by Presidential Decree.

(6) When the Minister of Land, Transport and Maritime Affairs establishes or revises the Master Plan, he/she shall give public notice thereof through the Official Gazette and notify each Mayor/Do Governor thereof, who shall in turn notify the competent cadastral authority thereof without delay.

(7) The Minister of Land, Transport and Maritime Affairs shall review the feasibility of the Master Plan once every five years after the date on which the plan is established and shall revise the plan, if necessary.

Article 5 (Executor of Cadastral Survey Project)

- (1) The cadastral resurvey project shall be executed by each cadastral authority.
- (2) A cadastral authority may commission the Korea Cadastral Survey Corporation established pursuant to Article 58 of the Act on Land Survey, Waterway Survey and Cadastral Records and a person who has obtained registration of cadastral survey business under Article 44 of the same Act (hereinafter referred to as "cadastral surveyor") to conduct surveys and investigations on its behalf for the cadastral resurvey project.
- (3) When a cadastral authority intends to commission a cadastral surveyor to conduct surveys and investigations on its behalf for the cadastral resurvey project, it shall give public notice thereof, as prescribed by Presidential Decree.

Article 6 (Establishment of Implementation Plans)

- (1) When a cadastral authority is notified of the Master Plan, it shall establish an implementation plan for the cadastral resurvey project (hereinafter referred to as "implementation plan"), which shall include the following matters:
 1. Executor of the cadastral resurvey project;
 2. Name of the project district;
 3. Location and area of the project district;
 4. Commencement time and duration of the cadastral resurvey project;
 5. Estimated cost of the cadastral resurvey project;
 6. Matters regarding lot surveys;
 7. Other matters specified by Presidential Decree as necessary for the execution of the cadastral resurvey project.
- (2) The guidelines and methods for the preparation of implementation plans shall be prescribed by the Minister of Land, Transport and Maritime Affairs.

Article 7 (Designation of Project Districts)

- (1) Each cadastral authority shall establish an implementation plan and shall file an application for the designation of a project district with the competent Mayor/Do Governor.
- (2) When a cadastral authority intends to file an application for the designation of a project district with the competent Mayor/Do Governor, it shall obtain consent from not less than two-thirds of the total number of landowners in the project district and the landowners who own not less than two-thirds of the area of land in the project district, taking the following matters into account:
 1. Whether a substantial discrepancy between descriptions registered in official cadastral records and the actual conditions of land has caused severe inconvenience to residents in the area;

2. Whether it is easy to execute the project;

3. Whether good results are expected from the execution of the project.

(3) Notwithstanding the provisions of paragraph (2), a cadastral authority may file an application to designate an area as a project district preferentially, if the project district has a council of landowners organized pursuant to Article 13 (hereinafter referred to as the "landowners' council") and if not less than three-quarters of the total number of landowners consent to the designation.

(4) When a cadastral authority intends to file an application for the designation of a project district, it shall hold a presentation session for residents after notifying residents of details regarding the establishment of the relevant implementation plan in writing and shall make the implementation plan available to residents for public inspection for not less than 30 days.

(5) Landowners and interested parties in a project district may present their opinions to the competent cadastral authority within the period set for public inspection under paragraph (4), and the competent cadastral authority shall reflect the opinions in the relevant application, if it finds that the opinions so presented are reasonable.

(6) When a Mayor/Do Governor intends to designate a project district, he/she shall table the case at the City/Do cadastral resurvey committee under Article 29 for deliberation, as prescribed by Presidential Decree.

(7) Paragraphs (1) through (6) shall also apply to the modification of a project district: Provided, That the foregoing shall not apply to the modification of a minor matter specified by Presidential Decree.

(8) The calculation method of the number of consenting persons under paragraph (2), the procedure for granting consent, and other necessary matters shall be prescribed by Presidential Decree.

Article 8 (Public Notification of Designation as Project District)

(1) When a Mayor/Do Governor designates or modifies a project district, he/she shall give public notice thereof through the City/Do official bulletin, report to the Minister of Land, Transport and Maritime Affairs on details of the designation or modification, and shall make relevant documents available to the general public for inspection.

(2) Whenever public notice is given in regard to the designation of, or a modification to, a project district, the fact that the project district is designated shall be entered in the official cadastral records.

Article 9 (Invalidation of Designation of Project District, etc.)

(1) A cadastral authority shall conduct lot surveys and cadastral surveys for the cadastral resurvey (hereinafter referred to as "land surveys for the cadastral resurvey") within two years from the date on which public notice is given with regard to the designation of a project district.

(2) If a cadastral authority fails to conduct lot surveys and land surveys for the cadastral resurvey within the period under paragraph (1), the designation of the relevant project district shall become invalid at the expiration of the period.

(3) If the designation of a project district becomes invalid under paragraph (2), the competent Mayor/Do Governor shall give public notice thereof through the City/Do official bulletin and shall report thereon to the Minister of Land, Transport and Maritime Affairs.

SECTION 2 Cadastral Surveys, etc.

Article 10 (Lot Surveys)

(1) When an area is publicly notified as a project district under Article 8, the competent cadastral authority shall conduct lot surveys on the land in the project district, and such lot surveys may be conducted concurrently with land surveys for the cadastral resurvey.

(2) Whenever a lot survey is conducted, a lot survey report shall be prepared, which shall describe the owner, lot number, land category, boundaries or coordinates, the location of each above ground or underground building, the officially assessed individual land price, etc.

(3) Matters regarding the scope, subject matters, and items of lot surveys and the methods for the description and preparation of lot survey reports shall be prescribed by Ordinance of the Ministry of Land, Transport and Maritime Affairs.

Article 11 (Land Surveys for Cadastral Resurvey)

(1) Cadastral surveys under subparagraph 4 of Article 2 of the Act on Land Survey, Waterway Survey and Cadastral Records shall be conducted as land surveys for the cadastral resurvey. In such cases, Article 25 of the Act on Land Survey, Waterway Survey and Cadastral Records shall apply mutatis mutandis to matters regarding the inspection of performance.

(2) Land surveys for the cadastral resurvey shall meet the land survey standards under Article 6 (1) 1 of the Act on Land Survey, Waterway Survey and Cadastral Records.

(3) Except as provided for by paragraphs (1) and (2), the methods and procedure for land surveys for the cadastral resurvey shall be prescribed by Ordinance of the Ministry of Land, Transport and Maritime Affairs.

Article 12 (Suspension of Rearrangement of Official Cadastral Records)

(1) When a cadastral authority finds it crucial for the efficient execution of the cadastral resurvey project, it may suspend the rearrangement of official cadastral records for the subdivision of land and land surveys for the restoration of boundaries during a specified period: Provided, That the foregoing shall not apply to cases where a land survey for the restoration of boundaries shall be conducted for the execution of the cadastral resurvey project or where land shall be subdivided or a land survey shall be conducted for the restoration of boundaries in accordance with a court judgment or decision.

(2) The period during which the rearrangement of official cadastral records and land surveys for the restoration of boundaries are suspended shall not exceed two years, but may be extended by not more than one year only once. In such cases, inconvenience to landowners and interested parties shall be minimized.

(3) When a cadastral authority intends to suspend the rearrangement of official cadastral records and land surveys for the restoration of boundaries under paragraph (1), it shall first hear the

opinions of the landowners' council: Provided, That the foregoing shall not apply to cases where no landowners' council is already organized.

(4) When a cadastral authority intends to suspend the rearrangement of official cadastral records and land surveys for the restoration of boundaries under paragraph (1), it shall give public notice thereof, as prescribed by Presidential Decree.

Article 13 (Landowners' Council)

(1) Landowners in a project district may organize a landowners' council with consent of not less than two-thirds of the total number of landowners and landowners who own not less than two-thirds of the area of the project district.

(2) A landowners' council shall be comprised of not less than 5, but not more than 20 members, including a chairperson. Each member of a landowners' council shall be an owner of a lot of land in the relevant project district, and the council chairperson shall be elected by and from among members.

(3) A landowners' council shall perform the following functions:

1. Filing applications for a preferred project district to the competent cadastral authority;
2. Attending at lot surveys as witnesses;
3. Attending as witnesses at works for installing temporary or permanent boundary point markers;
4. Presenting opinions on a period during which the rearrangement of official cadastral records is suspended;
5. Making decisions on the standards for the calculation of adjustment payments under Article 20 (3);
6. Recommending members for the boundary determination committee under Article 31 (hereinafter referred to as "boundary determination committee").

(4) The method for the calculation of the number of consenting persons under paragraph (1), the procedure for granting consent, the organization and operation of a landowners' council, and other necessary matters shall be prescribed by Presidential Decree.

SECTION 3 Determination of Boundaries, etc.

Article 14 (Standards for Defining Boundaries)

(1) A cadastral authority shall define boundaries for a cadastral resurvey in the following order:

1. Actual boundaries of the land possessed by landowners, if no dispute over ground boundaries exists;
2. Boundaries entered in the records of the land survey conducted when registered, if a dispute over ground boundaries exists;
3. Boundaries according to local customs.

(2) If landowners whose lots of land abut onto each other along a certain boundary agree on the boundary of the lots, the boundary shall be defined as agreed, notwithstanding the provisions of paragraph (1): Provided, That the foregoing shall not apply to cases where lots of land abut onto State-owned or public land along a certain boundary.

(3) In defining a boundary for the cadastral resurvey conducted under paragraphs (1) and (2), a cadastral authority shall ensure that a boundary publicly notified and defined for lots for public purposes under the Road Act, the River Act, and other relevant Acts and subordinate statutes is not changed.

Article 15 (Installation of Boundary Point Markers, Preparation of Cadastral Verification Statements, etc.)

(1) When a cadastral authority defines a boundary under Article 14, it shall install temporary boundary point markers and shall conduct land surveys for the cadastral resurvey without delay.

(2) When a cadastral authority completes land surveys for the cadastral resurvey, it shall prepare a cadastral verification statement, which shall indicate details of each lot number with regard to the area of land previously entered in the existing official cadastral records and the area of land confirmed through the cadastral resurvey, as prescribed by Presidential Decree.

(3) When a cadastral authority prepares a cadastral verification statement under paragraph (2), it shall notify the relevant landowner or interested party of the details, and the landowner or the interested party may, upon receipt of such notice, present his/her opinion to the cadastral authority. In such cases, if the cadastral authority finds that the opinion so presented is correct, it shall re-define the boundary, re-install temporary boundary point markers, and take other measures.

(4) No one shall relocate or destroy any temporary boundary point marker referred to in paragraph (1) or (3) or conduct any act to undermine the utility of such a marker.

(5) Other matters necessary for the preparation of a cadastral verification statement shall be prescribed by Ordinance of the Ministry of Land, Transport and Maritime Affairs.

Article 16 (Determination of Boundaries)

(1) Boundaries settled by the cadastral resurvey shall be determined by a resolution of the Boundary Determination Committee.

(2) When a cadastral authority intends to file an application for the determination of boundaries under paragraph (1), it shall submit a cadastral verification statement under Article 15 (2), along with opinions of landowners or interested parties, to the Boundary Determination Committee.

(3) Upon receipt of an application under paragraph (2), the Boundary Determination Committee shall determine boundaries within 30 days from the date on which the relevant cadastral verification statement is submitted and shall notify the competent cadastral authority of its determination. If any extenuating circumstance makes it impossible to determine boundaries, the Boundary Determination Committee may extend the period by not more than 30 days by resolution.

(4) A landowner or interested party may appear before the Boundary Determination Committee to state his/her opinion. If a landowner or interested party files an application to state his/her opinion,

the Boundary Determination Committee shall accept the application, unless an extenuating circumstance exists.

(5) The Boundary Determination Committee may recommend landowners to reach agreement on a boundary before it determines the boundary under paragraph (3).

(6) Upon receipt of a notice of a boundary from the Boundary Determination Committee under paragraph (3), the competent cadastral authority shall notify the relevant owners or interested parties thereof without delay. In such cases, the cadastral authority shall clearly state that the boundary shall be defined as determined by the Boundary Determination Committee if no objection is raised within the period under Article 17 (1).

Article 17 (Petition against Determination on Boundaries)

(1) If a landowner or interested party who is notified of a boundary determined under Article 16 (6) is dissatisfied with the determination, he/she may raise an objection against the competent cadastral authority within 60 days from the date on which the notice is delivered.

(2) A landowner or interested party who intends to raise an objection under paragraph (1) shall file a written petition with the competent cadastral authority. In such cases, the petition shall be accompanied by evidential documents.

(3) A cadastral authority shall forward a petition, along with its written opinion, to the Boundary Determination Committee within 14 days from the date on which the petition is filed under paragraph (2).

(4) Upon receipt of a petition forwarded under paragraph (3), the Boundary Determination Committee shall make a determination on the petition within 30 days from the date on which the petition is delivered: Provided, That the processing period may be extended by not more than 30 days, if an extenuating circumstance exists.

(5) When the Boundary Determination Committee makes a determination on a petition, it shall notify the competent cadastral authority of the details of the determination, and the competent cadastral authority shall, in turn, prepare a written decision and shall deliver the original of the determination to the petitioner and a duplicate of the determination to the other landowner or interested party within seven days from the date on which it is notified of the details of the decision. In such cases, a landowner shall notify the competent cadastral authority within 60 days from the date on which he/she receives a written decision of whether he/she intends to raise an objection against the decision of the Boundary Determination Committee through an administrative appeal or an administrative action.

(6) A cadastral authority may exclude a lot owned by a landowner who objects a decision made by the Boundary Determination Committee under paragraph (5) from the project area: Provided, That the lots of land excluded from the project area shall be designated and managed as lots of land subject to the correction of registered descriptions.

Article 18 (Establishment of Boundaries)

(1) Boundaries in the cadastral resurvey project shall be finalized in any of the following cases:

1. Where no petition is filed during the period set for filing a petition under Article 17 (1);

2. Where no objection is raised within 60 days against a decision made on a petition under Article 17 (4);

3. Where an administrative action is filed against the determination of a boundary under Article 16 (3) or against a determination made on a petition under Article 17 (4) and the judgment on the action becomes final and conclusive.

(2) When a boundary is finalized under paragraph (1), the competent cadastral authority shall install boundary point markers without delay and prepare and manage the register of boundary point markers, as prescribed by Ordinance of the Ministry of Land, Transport and Maritime Affairs. In such cases, if a boundary finalized under paragraph (1) is the same as the boundary defined under Article 15 (1) or (3), the temporary boundary point markers under paragraph (1) or (3) of the said Article shall be deemed boundary point markers.

(3) No one shall relocate or destroy any boundary point marker referred to in paragraph (2) or commit any act to undermine the utility of such boundary point marker.

Article 19 (Change of Land Category)

If it is discovered as a result of land surveys for the cadastral resurvey that the land category on the existing official cadastral records differs from the actual state of use, the competent cadastral authority may change the land category on the existing official cadastral records. In such cases, if it is required to obtain authorization or permission under other Acts or subordinate statutes in order to change a land category, the land category may be changed according to the actual state of use only if such authorization or permission is obtained or an appropriate agency agrees thereon.

SECTION 4 Determination of Adjustment Payments

Article 20 (Determination of Adjustment Payments)

(1) If an area on official cadastral records increases or decreases as a result of the establishment of a boundary under Article 18, the competent cadastral authority shall determine an adjustment payment according to the details of the increase or decrease in the area of each lot and shall collect or pay such an adjustment payment.

(2) Notwithstanding the provisions of paragraph (1), no adjustment payment shall be collected or paid for a lot of land or administrative asset owned by the central government or a local government.

(3) An adjustment payment shall be determined with the officially assessed individual land price under the Public Notice of Values and Appraisal of Real Estate Act as at the time the relevant project district is designated and publicly notified by the competent cadastral authority or with the price appraised by an appraisal firm under Article 28 of the said Act, which is requested to do so.

(4) When a cadastral authority intends to determine an adjustment payment under paragraph (3), it shall table the case at the competent Si/Gun/Gu Cadastral Resurvey Committee under Article 30 for deliberation.

(5) Except as otherwise provided for by paragraphs (2) through (4), matters necessary for the determination of adjustment payments shall be prescribed by Presidential Decree.

Article 21 (Payment, Collection, or Deposit of Adjustment Payments)

(1) An adjustment payment shall be paid or received in cash: Provided, That an adjustment payment can be paid in installments, as prescribed by Presidential Decree.

(2) When a cadastral authority determines adjustment payments under Article 20 (1), it shall prepare an adjustment payment statement without delay and shall notify individual landowners of the adjustment payments.

(3) A cadastral authority shall give notice of the receipt or payment of an adjustment payment to a landowner within ten days from the date on which notice of an adjustment payment is given pursuant to paragraph (2).

(4) A cadastral authority shall pay an adjustment payment within six months from the date on which notice of receipt is given pursuant to paragraph (3).

(5) A person upon receipt of a notice of payment under paragraph (3) shall pay the adjustment payment to the competent cadastral authority within six months from the date on which the notice is given, and the head of the competent cadastral authority shall collect an adjustment payment in the same manner as delinquent national or local taxes are collected if a person who shall pay the adjustment payment fails to pay it within the deadline.

(6) Where a cadastral authority shall pay an adjustment payment, it may deposit the adjustment payment in a court, if a person entitled to the adjustment payment falls under any of the following subparagraphs:

1. If a person entitled to an adjustment payment refuses to accept the adjustment payment or is unable to receive the adjustment payment because his/her domicile is unclear or due to any other reason;

2. If a cadastral authority is unable to identify a person entitled to an adjustment payment without negligence on the part of the cadastral authority;

3. If a cadastral authority is barred by attachment or provisional attachment from paying an adjustment payment.

(7) If a right is transferred after a project district is designated, the person who succeeds to the right shall receive the adjustment payment under paragraph (1) or a deposit money under paragraph (6).

Article 22 (Extinctive Prescription of Adjustment Payments)

A right to receive or collect an adjustment payment shall be extinguished by expiration of the prescriptive period, unless the right is not exercised within five years.

SECTION 5 Preparation, etc. of New Official Cadastral Records

Article 23 (Public Announcement of Completion of Project, Public Inspection, etc.)

(1) When boundaries are finalized under Article 18 for all lots of land in a project district, the competent cadastral authority shall publicly announce the completion of the project without delay and shall make relevant documents available to the general public for inspection, as prescribed by Presidential Decree.

(2) If boundaries are not yet finalized for the lots of land in a project district because an objection is raised against the final decision made by the Boundary Determination Committee under Article 17 (6), but if the area does not exceed one-tenth of the total area of the relevant project district or the number of owners of such lots does not exceed one-tenth of the total number of landowners in the project district, the completion of the project may be publicly announced, notwithstanding the provisions of paragraph (1).

Article 24 (Preparation of New Official Cadastral Records)

(1) If the completion of the project is publicly announced under Article 23, the competent cadastral authority shall close the existing official cadastral records and shall prepare new official cadastral records. In such cases, the relevant lots of land shall be deemed changed on the date on which the completion of the project is publicly announced under Article 23 (1).

(2) The following descriptions shall be entered in a new official cadastral record prepared under paragraph (1):

1. Location of the lot of land;
2. Lot number;
3. Land category;
4. Area;
5. Coordinates of boundary points;
6. Name or title, address, and resident registration number (referring to the registration number given under Article 49 of the Registration of Real Estate Act, if the owner is the central government, a local government, a corporation, an incorporated association or an incorporated foundation that is not a corporation, or a foreigner; hereinafter the same shall apply) of the owner;
7. Share in the ownership;
8. Share in the right to the lot of land;
9. Location of above ground and underground buildings;
10. Other matters specified by Ordinance of the Ministry of Land, Transport and Maritime Affairs.

(3) When the completion of the project is publicly announced under Article 23 (2), a lot of land for which boundaries are not yet finalized because an objection is raised against the final decision made by the Boundary Determination Committee under Article 17 (6) may be recorded as a "lot of land with unfinalized boundaries" in the relevant official cadastral record, as prescribed by Presidential Decree, and cadastral surveys may be suspended until the boundaries are finalized.

Article 25 (Requests for Registration)

(1) When a cadastral authority prepares a new official cadastral record under Article 24, it shall request the competent registry office without delay to register it. In such cases, the request for registration shall be deemed registration done by the central government on its own behalf.

(2) If a cadastral authority delays in making a request for registration under paragraph (1), the landowner or interested party him/herself may file an application for registration under paragraph (1), as prescribed by Presidential Decree.

(3) Necessary matters regarding the registration under paragraphs (1) and (2) shall be prescribed by the Supreme Court Rules.

Article 26 (Management of Closed Official Cadastral Records)

(1) Official cadastral records closed under Article 24 (1) shall be preserved permanently.

(2) As to the inspection of official cadastral records closed under Article 24 (1) or the issuance of transcripts of such records, Article 75 of the Act on Land Survey, Waterway Survey and Cadastral Records shall apply mutatis mutandis.

Article 27 (Notification of Descriptions regarding Current Status of Buildings)

When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu who has jurisdiction over an area for which the completion of the project is publicly announced under Article 23 (1) prepares a new building register under Article 38 of the Building Act or modifies a description regarding the location of an above ground or underground building among descriptions in a building register, he/she shall notify the competent cadastral authority of the details thereof.

CHAPTER III CADASTRAL RESURVEY COMMITTEES, ETC.

Article 28 (Central Cadastral Resurvey Committee)

(1) The Minister of Land, Transport and Maritime Affairs shall establish a central cadastral resurvey committee (hereinafter referred to as the "Central Committee") under his/her control in order to deliberate and decide on major policies on the cadastral resurvey project.

(2) The Central Committee shall deliberate and decide on the following matters:

1. Establishment and revision of the Master Plan;

2. Matters regarding the enactment and amendment of relevant Acts and subordinate statutes and the improvement of systems;

3. Other matters the chairperson of the Central Committee tables at the Central Committee for deliberation as he/she deems necessary for the cadastral resurvey project.

(3) The Central Committee shall be comprised of not less than 15, but not more than 20 persons, including one chairperson and one vice chairperson.

(4) The Minister of Land, Transport and Maritime Affairs shall serve as the chairperson of the Central Committee, while the vice chairperson shall be appointed by the chairperson from among committee members.

(5) Members of the Central Committee shall be appointed or commissioned by the chairperson from among the following persons:

1. Grade I through III public officials in the Ministry of Strategy and Finance, the Ministry of Justice, the Ministry of Public Administration and Safety, or the Ministry of Land, Transport and Maritime Affairs or public officials who are members of the Senior Executive Service;

2. Judges, public prosecutors, or attorneys at law;

3. Persons who served or serve as a professor of law, cadastral records, or land surveys;

4. Other persons who have relevant expertise for the cadastral resurvey project.

(6) The term of office for a member who is not a public official, among members of the Central Committee, shall be two years.

(7) The Central Committee shall adopt resolutions with the attendance of a majority of incumbent members and by an affirmative vote of a majority of the members present at the meeting.

(8) Other matters necessary for the organization and operation of the Central Committee shall be prescribed by Presidential Decree.

Article 29 (City/Do Cadastral Resurvey Committees)

(1) A Mayor/Do Governor may establish a City/Do cadastral resurvey committee (hereinafter referred to as "City/Do Committee") under his/her control in order to deliberate and decide on major policies on the cadastral resurvey project.

(2) A City/Do Committee shall deliberate and decide on the following matters:

1. An implementation plan established by a cadastral authority;

2. Designation and modification of a project district subject to the cadastral resurvey project;

3. Re-prioritization of cadastral resurvey projects in each Si/Gun/Gu;

4. Other matters the chairperson of a City/Do Committee tables at the City/Do Committee for deliberation as he/she deems necessary for the cadastral resurvey project.

(3) A City/Do Committee shall be comprised of not more than ten members, including one chairperson and one vice chairperson.

(4) A Mayor/Do Governor shall serve as the chairperson of the competent City/Do Committee, while the vice chairperson shall be appointed by the chairperson from among committee members.

(5) Members of a City/Do Committee shall be appointed or commissioned by the chairperson from among the following persons:

1. Grade III or higher-ranking public officials in the competent City/Do;

2. Judges, public prosecutors, or attorneys at law;

3. Persons who served or serve as a professor of law, cadastral records, or land surveys;

4. Other persons who have relevant expertise for the cadastral resurvey project.

(6) The term of office for a member who is not a public official, among members of a City/Do Committee, shall be two years.

(7) A City/Do Committee shall adopt resolutions with the attendance of a majority of incumbent members and by an affirmative vote of a majority of the members present at the meeting.

(8) Other matters necessary for the organization and operation of a City/Do Committee shall be prescribed by municipal ordinance of the competent City/Do.

Article 30 (Si/Gun/Gu Cadastral Resurvey Committees)

(1) A cadastral authority may establish a Si/Gun/Gu cadastral resurvey committee (hereinafter referred to as "Si/Gun/Gu Committee") under its control in order to deliberate and decide on major policies on the cadastral resurvey project of the competent Si/Gun/Gu.

(2) A Si/Gun/Gu Committee shall deliberate and decide on the following matters:

1. Lots of land subject to the suspension of the rearrangement of official cadastral records under Article 12;

2. Change of a land category under Article 19;

3. Determination of adjustment payments under Article 20;

4. Other matters that the chairperson of a Si/Gun/Gu Committee tables at the Si/Gun/Gu Committee for deliberation as he/she deems necessary for the cadastral resurvey project.

(3) A Si/Gun/Gu Committee shall be comprised of not more than ten members, including one chairperson and one vice chairperson.

(4) The head of a Si/Gun/Gu shall serve as the chairperson of the competent Si/Gun/Gu Committee, while the vice chairperson shall be appointed by the chairperson from among committee members.

(5) Members of a Si/Gun/Gu Committee shall be appointed or commissioned by the chairperson from among the following persons:

1. Grade V or higher-ranking public officials in the competent Si/Gun/Gu;

2. The head of the Eup/Myeon/Dong in which the relevant project district is situated;

3. Judges, public prosecutors, or attorneys at law;

4. Persons who served or serve as a professor of law, cadastral records, or land surveys;

5. Other persons who have relevant expertise for the cadastral resurvey project.

(6) The term of office for a member who is not a public official, among members of a Si/Gun/Gu Committee, shall be two years.

(7) A Si/Gun/Gu Committee shall adopt resolutions with the attendance of a majority of incumbent members and by an affirmative vote of a majority of the members present at the meeting.

(8) Other matters necessary for the organization and operation of a Si/Gun/Gu Committee shall be prescribed by municipal ordinance of the competent Si/Gun/Gu.

Article 31 (Boundary Determination Committee)

(1) Each cadastral authority shall establish a boundary determination committee under its control in order to have the committee make decisions on the following matters:

1. Making decisions on the definition of boundaries;
2. Making decisions on objections raised against the definition of boundaries.

(2) A boundary determination committee shall be comprised of not more than 11 members, including one chairperson and one vice chairperson.

(3) A judge who is a committee member shall serve as the chairperson of a boundary determination committee, while the vice chairperson shall be appointed by the competent cadastral authority from among committee members.

(4) Members of a boundary determination committee shall be the following persons: Provided, That persons under subparagraphs 3 and 4 may attend a committee meeting as members when the relevant project district is on the meeting agenda:

1. A judge appointed by the Chief Judge of the competent district court;
2. Persons appointed or commissioned by the competent cadastral authority from among the following persons:
 - (a) Grade V or higher-ranking public officials in the competent cadastral authority;
 - (b) Attorneys at law, law professors, and other persons who have abundant knowledge of law;
 - (c) Land survey engineers, appraisers, and other persons who have relevant expertise for the cadastral resurvey project;
3. Landowners in a project district (referring to persons recommended by a landowners' council, if a landowners' council is already organized);
4. The head of the Eup/Myeon/Dong in which a project district is situated.

(5) Members who fall under paragraph (4) 3 shall be always included in members of a boundary determination committee.

(6) The term of office for a member who is not a public official, among members of a boundary determination committee, shall be two years.

(7) A boundary determination committee may conduct a fact-finding survey ex officio or at the request of a landowner or interested party or may request an applicant, a landowner, or an interested

party to submit necessary documents and may assign public officials who belong to the competent cadastral authority to conduct a fact-finding survey.

(8) A landowner or interested party may appear before the competent boundary determination committee to state his/her opinion or may submit evidential documents as necessary.

(9) A boundary determination committee shall make a decision or adopt a resolution in writing by an affirmative vote of a majority of incumbent members.

(10) A written decision or resolution under paragraph (9) shall state the main text, the reasons for the decision or resolution, the date of decision or resolution, and the names of committee members who participate in making the decision or adopting the resolution, and all committee members who participate in making the decision or adopting the resolution shall affix their signatures and seals thereon: Provided, That if a committee member refuses to affix his/her signature and seal or is unable to affix his/her signature and seal due to an extenuating circumstance, the member may omit affixing his/her signature and seal and may state only the circumstance.

(11) Necessary matters regarding the organization and operation of a boundary determination committee shall be prescribed by municipal ordinance of the competent Si/Gun/Gu.

Article 32 (Cadastral Resurvey Planning Team, etc.)

(1) The Ministry of Land, Transport and Maritime Affairs shall have a cadastral resurvey planning team to draft a master plan, guide and supervise the cadastral resurvey project, render assistance with techniques, human resources, and budgeting, and assist the Central Committee in handling matters subject to deliberation and resolution.

(2) A City/Do may have a cadastral resurvey support team to guide and supervise the cadastral resurvey project and render assistance with techniques, human resources, and budgeting, and a cadastral authority may have a cadastral resurvey task force to draft implementation plans, execute the cadastral resurvey project, and guide and supervise project implementors.

(3) Matters necessary for the organization and operation of the cadastral resurvey planning team under paragraph (1) shall be prescribed by Presidential Decree, and matters necessary for the organization and operation of a cadastral resurvey support team and a cadastral resurvey task force under paragraph (2) shall be prescribed by municipal ordinance of the competent local government.

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 33 (Request for Increase or Decrease of Rent, etc.)

(1) If the cadastral resurvey project facilitates or interferes with the use of a lot of land subject to a right of lease or the servient tenement under an easement and thus makes the previous rent, land rent, or other use charge inappropriate, either party may request the other party to increase or decrease the rent or charge, irrespective of terms and conditions of the relevant agreement.

(2) Either party may waive a right under paragraph (1) or may terminate the relevant agreement to have him/herself discharged from the obligation.

Article 34 (Waiver of Right, etc.)

(1) If it is impossible to achieve purposes of creating a right of lease or an easement due to the implementation of the cadastral resurvey project, either party may waive his/her rights or terminate the relevant agreement.

(2) A person who waives his/her rights or terminates an agreement under paragraph (1) may request the competent cadastral authority to compensate him/her for losses incurred therefrom.

(3) A cadastral authority that compensates for losses under paragraph (2) may request the owner of the land or building or the person who benefits therefrom to reimburse the losses.

Article 35 (Restriction on Request, etc.)

After two months from the date on which the completion of the project is publicly announced, no party may request the other party to increase or decrease the rent, land rent, or other use charge under Article 33, waive his/her rights, or terminate the relevant agreement under Article 34.

Article 36 (Real Subrogation)

A mortgage held on a lot of land or a building in a project district may be exercised against the adjustment payment to which the mortgagor is entitled. In such cases, the adjustment payment shall be attached before it is paid.

Article 37 (Entry into Land, etc.)

(1) If necessary for the cadastral resurvey project, a cadastral authority may authorize public officials under its control or cadastral surveyors to enter or temporarily use another's land, building, or public waters (hereafter referred to as "land or property" in this Article) and may authorize them to alter or remove trees, earth, stones, and other obstacles (hereinafter referred to as "obstacles"), if particularly necessary.

(2) When a cadastral authority authorizes public officials under its control or cadastral surveyors to enter or temporarily use another's land or property or to alter or remove obstacles under paragraph (1), it shall notify the owner, occupant, or manager of the relevant land or property of the date, time and place of entry by not later than three days before the date on which it is intended to enter the land or property.

(3) No one shall enter another's residential premises or another's land or property enclosed with a wall or fence before sunrise or after sunset without consent of the occupant of the land or property.

(4) No occupant of a lot of land or other property shall interfere with or refuse the activities under paragraph (1) without justifiable grounds.

(5) A person who intends to conduct the activities under paragraph (1) shall carry an identification card indicating his/her authority and a permit and shall produce them to persons involved.

(6) A cadastral authority shall compensate a person for losses inflicted on the person by the activities under paragraph (1).

(7) As regards compensation for losses under paragraph (6), the competent cadastral authority and the person who sustains losses shall reach an agreement.

(8) If a cadastral authority and the person who sustains any loss fail, or are unable, to reach an agreement under paragraph (7), either party may file a petition for adjudication with the competent land tribunal under the Act on Acquisition of and Compensation for Land, etc. for Public Works.

(9) As to the adjudication by the competent land tribunal under paragraph (8), Articles 84 through 88 of the Act on Acquisition of and Compensation for Land, etc. for Public Works shall apply *mutatis mutandis*.

Article 38 (Inspection, etc. of Documents)

(1) A landowner or interested party may inspect documents about the cadastral resurvey project, and no cadastral authority shall refuse the inspection, unless any justifiable ground exists otherwise.

(2) A landowner or interested party may request a cadastral authority to issue photocopies of documents about the cadastral resurvey project at his/her expense.

(3) The Minister of Land, Transport and Maritime Affairs shall establish and operate a public system through which a landowner or interested party can acquire information about the cadastral resurvey project via the Internet or by other means.

(4) Matters necessary for the establishment and operation of the system under paragraph (3) shall be prescribed by Presidential Decree.

Article 39 (Reporting and Supervision of Cadastral Resurvey Project)

The Minister of Land, Transport and Maritime Affairs may require a Mayor/Do Governor to report the current progress of the cadastral resurvey project and assist and supervise a cadastral authority as necessary, and a Mayor/Do Governor may require a cadastral authority to report the current progress of the cadastral resurvey project and assist and supervise a cadastral authority as necessary.

Article 40 (Delegation of Authority)

The Minister of Land, Transport and Maritime Affairs may fully or partially delegate his/her authority under this Act to the head of an affiliated agency, Mayor/Do Governor, or cadastral authority, as prescribed by Presidential Decree.

Article 41 (Prohibition of Divulgence of Confidential Information)

No person who is or was engaged in the cadastral resurvey project shall divulge facts that constitute another's confidential information known to him/her in the course of his/her performance of the cadastral resurvey project to a third party or use such confidential information without justifiable grounds.

Article 42 (Application *Mutatis Mutandis* of the Urban Development Act)

As to the replotting of land in connection with the cadastral resurvey project, Articles 28 through 49 of the Urban Development Act shall apply *mutatis mutandis*. In such cases, the term "disposal of replotting" under Article 40 of the Urban Development Act shall be construed as "public notice of the completion of the project" under Article 23.

CHAPTER V PENAL PROVISIONS

Article 43 (Penal Provisions)

(1) A person who intentionally conducts a cadastral survey contradictory to actual fact or falsely registers the results of the cadastral resurvey project shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding 20 million won.

(2) A person who divulges another's confidential information known to him/her in the course of the cadastral resurvey project to a third party or uses such confidential information in violation of Article 41 shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding 10 million won.

Article 44 (Joint Penal Provisions)

If the representative of a legal entity or an agent, an employee, or a worker of a legal entity or individual commits a violation under Article 43 in connection to the business of the legal entity or individual, not only shall such offender be punished accordingly, but the legal entity or individual shall be punished by the fine prescribed in the relevant Article: Provided, That the foregoing shall not apply to cases where the legal entity or individual has not neglected reasonable care and supervision of business to prevent such violation.

Article 45 (Fines for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding three million won:

1. A person who relocates or destroys a temporary boundary point marker or a boundary point marker or undermines the utility of such marker in violation of Article 15 (4) or 18 (3);

2. A person who interferes with the cadastral resurvey project without justifiable grounds.

(2) Fines for negligence under paragraph (1) shall be imposed and collected by the Minister of Land, Transport and Maritime Affairs, a Mayor/Do Governor, or a cadastral authority, as prescribed by Presidential Decree.

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the part regarding Special Self-Governing Cities and Special Self-Governing City Mayors shall enter into force on July 1, 2012.

Article 2 (Relationship to other Acts)

(1) The new official cadastral records prepared in accordance with the enforcement of this Act shall be deemed official cadastral records surveyed and registered under the Act on Land Survey, Waterway Survey and Cadastral Records.

(2) Cadastral maps indicated in the topographical drawings, which have been prepared in accordance with the previous official cadastral records and managed under the main sentence of Article 8 (2) of the Framework Act on the Regulation of Land Use, (referring to drawings that indicate an area or district in the form of a topographical map indicating cadastral records) and boundaries of an area or a district clearly indicated in cadastral maps with the details of the regulation on land use shall be deemed revised pursuant to the new cadastral maps surveyed and registered in accordance with the enforcement of this Act.

(3) If the building site of an existing building or an existing building does not conform to the Building Act due to the official cadastral records newly prepared as a result of the cadastral

resurvey project, building works may be permitted within the limitations under Article 6 of the said Act.

Article 3 (Transitional Measures concerning State-Owned or Public Land)

(1) Descriptions (including drawings) entered in registers and cadastral records for the management of State-owned or public property, which have been prepared and managed according to previous official cadastral records, shall be deemed modified to the details of the new official cadastral records surveyed and registered in accordance with the enforcement of this Act.

(2) An increase or a decrease in the area of State-owned or public land as a consequence of the establishment of boundaries under Article 18 shall not be deemed the acquisition or disposal under the State Property Act or the Public Property and Commodity Management Act.

Article 4 Omitted.